

4.6 Chart: Criminal Penalties, Licensing Sanctions, and Vehicle Sanctions Under Vehicle Code §904

	DWLS/Knowingly Allowed Someone to DWLS – §904(1)-(2)	DWLS Causing Death – §904(4)	DWLS Causing Serious Injury – §904(5)	Knowingly Allowed Someone to DWLS Causing Death – §904(7)	Knowingly Allowed Someone to DWLS Causing Serious Injury – §904(7)
1st Offense (no prior suspensions)*	<p>Misdemeanor penalties—§904(3): Up to 93 days jail AND/OR maximum \$500 fine</p> <p>License sanction: Mandatory additional sanction under §904(10), (11), or (12); one-time exemption for one FAC/FCJ suspension</p> <p>Immobilization—§904(17): None, maximum 120 days impoundment possible under §904b(2)</p> <p>Plate confiscation – §904c(1): None, cancel plates upon notice from police per §904(3)</p> <p>Registration denial – §219(1)(d): None</p> <p>Forfeiture – §625n(1): None</p>	<p>Felony penalties—§904(4): Maximum 15 years prison AND/OR \$2,500-\$10,000 fine</p> <p>License sanction—§303(2)(d), (4)(a): Minimum 1 year revocation/denial</p> <p>Immobilization—§904d(2)(b): Required up to 180 days, unless forfeited.</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): None</p> <p>Forfeiture—§625n(1): Permissive</p>	<p>Felony penalties—§904(5): Prison up to 5 years, AND/OR \$1,000-\$5,000 fine</p> <p>License sanction—§303(2)(d), (4)(a): Minimum 1 year revocation/denial</p> <p>Immobilization—§904d(2)(b): Required up to 180 days, unless forfeited.</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): None</p> <p>Forfeiture—§625n(1): Permissive</p>	<p>Felony penalties—§904(7): Prison up to 5 years, AND/OR \$1,000-\$5,000 fine</p> <p>License sanction: No provision</p> <p>Immobilization: No provision</p> <p>Plate confiscation – §904c(1): None</p> <p>Registration denial: No provision</p> <p>Forfeiture – §625n(1): None</p>	<p>Felony penalties—§904(7): Prison up to 2 years, AND/OR \$1,000-\$5,000 fine</p> <p>License sanction: No provision</p> <p>Immobilization: No provision</p> <p>Plate confiscation – §904c(1): None</p> <p>Registration denial: No provision</p> <p>Forfeiture – §625n(1): None</p>

*Prior suspensions are defined as prior mandatory additional suspensions/revocations imposed pursuant to §904(10), (11), and (12); not prior convictions of DWLS. See Section 1.4(G)(2) for discussion.

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4.6 Chart: Criminal Penalties, Licensing Sanctions, and Vehicle Sanctions Under Vehicle Code §904 (continued)

	DWLS/Knowingly Allowed Someone to DWLS – §904(1)-(2)	DWLS Causing Death – §904(4)	DWLS Causing Serious Injury – §904(5)	Knowingly Allowed Someone to DWLS Causing Death – §904(7)	Knowingly Allowed Someone to DWLS Causing Serious Injury – §904(7)
2nd Offense or 1 prior §904 suspension* within 7 years	<p>Misdemeanor penalties—§904(3): Up to 1 year jail AND/OR maximum \$1,000 fine</p> <p>License sanction: Mandatory additional sanction under §904(10), (11), or (12); one-time exemption for one FAC/FCJ suspension</p> <p>Immobilization—§904d(2)(a): Permissive up to 180 days; maximum 120 days impoundment possible under §904b(2)</p> <p>Plate confiscation – §904c(1): None, cancel plates upon notice from police per §904(3)</p> <p>Registration denial – §219(1)(d): None</p> <p>Forfeiture—§625n(1): None</p>	<p>Felony penalties—§904(4): Maximum 15 years prison AND/OR \$2,500-\$10,000 fine</p> <p>License sanction –§303(2)(f), (4)(a): minimum 5 year revocation/denial, if imposed within 7 years after prior revocation/denial</p> <p>Immobilization—§904d(2)(b): Required up to 180 days, unless forfeited.</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): None</p> <p>Forfeiture—§625n(1): Permissive</p>	<p>Felony penalties—§904(5): Prison up to 5 years, AND/OR \$1,000-\$5,000 fine</p> <p>License sanction –§303(2)(f), (4)(a): minimum 5 years revocation/denial, if imposed within 7 years after prior revocation/denial</p> <p>Immobilization—§904d(2)(b): Required up to 180 days, unless forfeited.</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): None</p> <p>Forfeiture—§625n(1): Permissive</p>	Same as 1st offense	Same as 1st offense

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4.6 Chart: Criminal Penalties, Licensing Sanctions, and Vehicle Sanctions Under Vehicle Code §904 (continued)

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3rd offense or 2 prior §904 suspensions* within 7 years	<p>Misdemeanor penalties—§904(3): Up to 1 year jail AND/OR maximum \$1,000 fine</p> <p>License sanction: Mandatory additional sanction under §904(10), (11), or (12); one-time exemption for one FAC/FCJ suspension</p> <p>Immobilization—§904d(2)(c): 90 to 180 days required</p> <p>Plate confiscation—§904c(1): Required</p> <p>Registration denial – §219(1)(d): None</p> <p>Forfeiture – §625n(1): None</p>	<p>Felony penalties—§904(4): Maximum 15 years prison AND/OR \$2,500-\$10,000 fine</p> <p>License sanction –§303(2)(f), (4)(a): minimum 5 years revocation/denial, if imposed within 7 years after prior revocation/denial</p> <p>Immobilization—§904d(2)(c): Required 90 to 180 days, unless forfeited.</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): None</p> <p>Forfeiture—§625n(1): Permissive</p>	<p>Felony penalties—§904(5): Prison up to 5 years, AND/OR \$1,000-\$5,000 fine</p> <p>License sanction –§303(2)(f), (4)(a): minimum 5 years revocation/denial, if imposed within 7 years after prior revocation/denial</p> <p>Immobilization—§904d(2)(c): Required 90 to 180 days, unless forfeited.</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): None</p> <p>Forfeiture—§625n(1): Permissive</p>	Same as 1st offense	Same as 1st offense

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4.6 Chart: Criminal Penalties, Licensing Sanctions, and Vehicle Sanctions Under Vehicle Code §904 (continued)

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4th offense or 3 prior §904 suspensions* within 7 years	<p>Misdemeanor penalties–§904(3): Up to 1 year jail AND/OR maximum \$1,000 fine</p> <p>License sanction: Mandatory additional sanction under §904(10), (11), or (12); one-time exemption for one FAC/FCJ suspension</p> <p>Immobilization–§904d(2)(c): 90 to 180 days required</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): Required</p> <p>Forfeiture – §625n(1): None</p>	<p>Felony penalties–§904(4): Maximum 15 years prison AND/OR \$2,500-\$10,000 fine</p> <p>License sanction –§303(2)(f), (4)(a): minimum 5 years revocation/denial, if imposed within 7 years after prior revocation/denial</p> <p>Immobilization–§904d(2)(c): Required 90 to 180 days, unless forfeited.</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): Required</p> <p>Forfeiture–§625n(1): Permissive</p>	<p>Felony penalties–§904(5): Prison up to 5 years, AND/OR \$1,000-\$5,000 fine</p> <p>License sanction –§303(2)(f), (4)(a): minimum 5 years revocation/denial, if imposed within 7 years after prior revocation/denial</p> <p>Immobilization–§904d(2)(c): Required 90 to 180 days, unless forfeited.</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): Required</p> <p>Forfeiture–§625n(1): Permissive</p>	Same as 1st offense	Same as 1st offense

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5th offense or 4 prior §904 suspensions* within 7 years	<p>Misdemeanor penalties– §904(3): Up to 1 year jail AND/OR maximum \$1,000 fine</p> <p>License sanction: Mandatory additional sanction under §904(10), (11), or (12); one-time exemption for one FAC/FCJ suspension</p> <p>Immobilization– §904d(2)(d): 1 to 3 years required</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): Required</p> <p>Forfeiture – §625n(1): None</p>	<p>Felony penalties–§904(4): Maximum 15 years prison AND/OR \$2,500-\$10,000 fine</p> <p>License sanction – §303(2)(f), (4)(a): minimum 5 years revocation/ denial, if imposed within 7 years after prior revocation/ denial</p> <p>Immobilization– §904d(2)(d): 1 to 3 years required, unless forfeited.</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): Required</p> <p>Forfeiture–§625n(1): Permissive</p>	<p>Felony penalties–§904(5): Prison up to 5 years, AND/ OR \$1,000-\$5,000 fine</p> <p>License sanction – §303(2)(f), (4)(a): minimum 5 years revocation/ denial, if imposed within 7 years after prior revocation/ denial</p> <p>Immobilization– §904d(2)(d): 1 to 3 years required, unless forfeited.</p> <p>Plate confiscation – §904c(1): Required</p> <p>Registration denial – §219(1)(d): Required</p> <p>Forfeiture–§625n(1): Permissive</p>	Same as 1st offense	Same as 1st offense

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